

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**Criminal Misc. No. M-3257 of 2019
Date of decision: 25.02.2019**

Palwinder Kaur

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mr. Amit Mehta, Sr. DAG, Punjab
for the respondent-State.

Daya Chaudhary, J. (Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail to her in case FIR No.130 dated 17.11.2013 registered under Sections 420, 467, 468, 471 IPC at Police Station Mehta District Amritsar Rural, Punjab.

Learned counsel for the petitioner submits that the petitioner has been implicated in the case because of party faction in the village as she was working as Sarpanch of the village. Neither any report of hand writing expert regarding comparison of alleged signatures of BDPO is there nor FSL report has been received. Challan has been presented without having the FSL report. Learned counsel further submits that no complaint was made by the villagers regarding non-receipt/non distribution of pension amount. Nothing is to be recovered from the petitioner and she is ready to abide by all terms and conditions to be imposed by this Court or by the trial Court. The offences are triable by the Magistrate. The petitioner is in custody since 13.08.2018. Learned counsel also submits that the complainant is an official of government department and the petitioner is

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not in a position to influence the complainant. Trial may take time to conclude and no purpose would be served by keeping her in custody.

Learned State counsel has not disputed the custody period as well as non-receipt of FSL report but has opposed grant of regular bail to the petitioner on the ground that serious allegations are there against the petitioner. Learned State counsel submits that one more case of similar nature is also pending against the petitioner whereas learned counsel for the petitioner submits that allegations in both the cases are same and the petitioner was arrested in both the cases on the same day.

Heard arguments of learned counsel for the petitioner as well as learned State counsel and have also perused the contents of the FIR and other documents available on the file.

By considering that the petitioner is in custody since 13.08.2018; offences are triable by the Magistrate; challan was presented without having any FSL report; as to whether the signatures of petitioner were there or not as allegations are there against her regarding forging of signatures of BDPO; trial may take time to conclude and no purpose would be served by keeping her in custody, the present petition is allowed and the petitioner (Palwinder Kaur) is directed to be released on regular bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

25.02.2019
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No